

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(MBHB Case No. 03-910)

PATENT  
**RECEIVED**

APR 20 2005

In application of: )  
Brauer, et al. )  
Serial No.: 10/700,165 )  
Filed: November 3, 2003 )  
For: Headache Rack for Pickup Trucks )

OFFICE OF PETITIONS

Examiner: Patricia L. Engle  
Group Art Unit: 3676

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the Applicants wish to make the following references of record in the above-identified application. Copies of the references are enclosed. Copies of the references are also listed in the PTO-1449 form enclosed herewith. It is requested that the documents be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

Portions of the references may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. 1.97 (h). The references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. sections 102 or 103, nor is this submission to be construed as a representation that a search has been made.

## CITED REFERENCES

### United States Application Publications

1. Felix, U.S. Application Publication No. 2001/050489 A1, published December 13, 2001.

### United States Patents

2. Hart, U.S. Patent No. 2,720,414 A, issued October 11, 1955.
3. Ellis, U.S. Patent No. 3,664,704 A, issued May 23, 1972.
4. Jayne, U.S. Patent No. 4,867,497 A, issued September 19, 1989.
5. Deaver et al., U.S. Patent No. 4,973,099 A, issued November 27, 1990.
6. Hendricks, U.S. Patent No. 5,037,152 A, issued August 6, 1991.
7. Berkich, U.S. Patent No. 5,476,301 A, issued December 19, 1995.

Respectfully submitted,

**McDonnell Boehnen  
Hulbert & Berghoff LLP**

Date: April 20, 2005

By:

  
**Anthoula Pomrenning**  
Registration No. 38,805

McDonnell, Boehnen, Hulbert & Berghoff LLP  
300 S. Wacker Drive  
Chicago, IL 60606  
312-913-0001

Form PTO-1449	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 03-910	Serial No. 10/700,165
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		<b>RECEIVED</b>	
		Applicant: Brauer, et al.	APR 20 2005
		Filing Date: November 3, 2003	Group: 3676

### U.S. PATENT APPLICATION PUBLICATION DOCUMENTS

Examiner Initial	No.	Document Number	Date	Name	Class	Subclass	Filing Date
		2001/050489 A1	12/13/2001	Felix			

### U.S. PATENT DOCUMENTS

Examiner Initial	No.	Document Number	Date	Name	Class	Subclass	Filing Date
		2,720,414 A	10/11/1955	Hart			
		3,664,704 A	05/23/1972	Ellis			
		4,867,497 A	09/19/1989	Jayne			
		4,973,099 A	11/27/1990	Deaver et al.			
		5,037,152 A	08/06/1991	Hendricks			
		5,476,301 A	12/19/1995	Berkich			

### FOREIGN PATENT DOCUMENTS

Examiner Initial	No.	Document Number	Date	Country	Class	Subclass	Translation Yes      No

### OTHER DOCUMENTS - Including Author, Title, Date, Pertinent Pages, Etc.

Examiner Initial	No.	

Examiner	Date Considered

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with any communication.